

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

WP(C).No. 22177 of 2007(M)

PETITIONER:

**MANALUR RUBBER COMPANY LTD.,
REGISTERED OFFICE: RUBBER PRODUCTS OF INDIA
BUILDINGS, VENGARI P.O., KOZHIKODE-673 010.
REPRESENTED BY DIRECTOR JAY THOMAS.**

**BY ADV. SRI.BECHU KURIAN THOMAS
SMT.NISHA JOHN**

RESPONDENTS:

- 1. STATE OF KERALA REPRESENTED BY CHIEF
SECRETARY, THIRUVANANTHAPURAM.**
- 2. TAHSILDAR, NILAMBUR TALUK, TALUK OFFICE,
NILAMBUR, MALAPPURAM DISTRICT,**
- 3. VILLAGE OFFICER, AGAMBADOM, NILAMBUR
TALUK.**

BY GOVERNMENT PLEADER SRI.M.R.SABU

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON
19/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

WPC NO.22177/07

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF CERTIFIED COPY OF DOCUMENT NO.758 OF 1958 OF SRO CALICUT.

EXT.P2: TRUE COPY OF SURVEY PLAN BY THE SURVEY AND LAND RECORDS RESURVEY DEPARTMENT, MALAPPURAM DISTRICT.

EXT.P3: TRUE COPY OF APPLICATION MADE TO TAHSILDAR NILAMBUR DATED 14.3.07.

EXT.P4: TRUE COPY OF HEARING NOTICE DTED 15.5.2007.

//TRUE COPY//

ANTONY DOMINIC, J.

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W.P.(C) NO. 22177 OF 2007 M
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Dated this the 19th day of November, 2007

J U D G M E N T

The prayer of the petitioner is to direct the respondents to accept basic tax of 5.21 hectares of their land in resurvey No.5 of Agambadom Village. Referring to Ext.P4, petitioner submits that following the submission of the application, further action was taken and an opportunity of hearing was granted, but however, final orders have not been passed by the 2nd respondent so far.

2. On the other hand, learned Government pleader submits that petitioner did not succeed in satisfying the 2nd respondent that their title deed covers the property in respect of which tax is now sought to be paid.

3. Irrespective of the controversy that is now prevailing between the parties, since the petitioner has made an application for accepting basic tax in respect of the plot of land mentioned above, it is for the 2nd respondent to enquire into the claim of the petitioner and pass an order thereon.

Therefore, I dispose of this writ petition directing that the

2nd respondent shall consider the application made by the petitioner for assessing the basic land tax and also issue possession certificate and pass orders thereon with further opportunity to the petitioner to substantiate his claim.

ANTONY DOMINIC, JUDGE

Rp